

### **IC 14-13-3**

#### **Chapter 3. Lake Michigan Marina Development Commission**

### **IC 14-13-3-1**

#### **"Commission" defined**

Sec. 1. As used in this chapter, "commission" refers to the Lake Michigan marina development commission.

*As added by P.L.1-1995, SEC.6.*

### **IC 14-13-3-2**

#### **"Corridor" defined**

Sec. 2. As used in this chapter, "corridor" means the strip of land in Indiana abutting Lake Michigan and the tributaries of Lake Michigan.

*As added by P.L.1-1995, SEC.6.*

### **IC 14-13-3-3**

#### **Establishment of commission**

Sec. 3. The Lake Michigan marina development commission is established.

*As added by P.L.1-1995, SEC.6.*

### **IC 14-13-3-4**

#### **Members**

Sec. 4. (a) The commission consists of the following members:

- (1) The executive of Gary.
- (2) The executive of Hammond.
- (3) The executive of East Chicago.
- (4) The executive of Portage.
- (5) The executive of Michigan City.
- (6) The executive of Whiting.
- (7) The director of the department of commerce, who is a nonvoting member.
- (8) The director of the department, who is a nonvoting member.
- (9) One (1) member appointed jointly by the executives of Burns Harbor, Porter, Ogden Dunes, Dune Acres, and Beverly Shores.

(b) A member of the commission may designate an individual to serve on the commission in the member's place.

*As added by P.L.1-1995, SEC.6. Amended by P.L.133-2001, SEC.1.*

### **IC 14-13-3-5**

#### **Filling of vacancies**

Sec. 5. A vacancy occurring in the membership of the commission shall be filled for the unexpired term in the same manner and under the same conditions as for the original appointments.

*As added by P.L.1-1995, SEC.6.*

### **IC 14-13-3-6**

#### **Traveling expenses**

Sec. 6. (a) Members of the commission are not entitled to receive from the commission a per diem. However, the members are entitled to receive an amount for mileage or travel.

(b) Designees:

(1) of members of the commission; and

(2) who are not holders of public office;

are entitled to receive from the commission an amount for per diem, mileage, and travel allowance equal to that fixed by the budget agency as payment to all persons entitled to receive those payments from the state.

*As added by P.L.1-1995, SEC.6.*

### **IC 14-13-3-7**

#### **Quorum**

Sec. 7. Four (4) voting members constitute a quorum.

*As added by P.L.1-1995, SEC.6.*

### **IC 14-13-3-8**

#### **Officers**

Sec. 8. (a) The commission shall elect the following officers from among the commission's members:

(1) A chairman.

(2) A vice chairman.

(3) A treasurer.

(b) Each officer serves a term of one (1) year beginning July 1 of each year.

*As added by P.L.1-1995, SEC.6.*

### **IC 14-13-3-9**

#### **Meetings**

Sec. 9. (a) The commission:

(1) shall fix the time for regular meetings; and

(2) may hold special meetings on call of the chairman with seven (7) days written notice.

(b) A member may waive written notice of a specific meeting by a written notice filed with the commission.

*As added by P.L.1-1995, SEC.6.*

### **IC 14-13-3-10**

#### **Comprehensive plan; recommended legislation**

Sec. 10. (a) The commission shall study various plans and recommendations that are proposed concerning marina development along the corridor. Based on these studies, the commission shall do the following:

(1) Prepare a comprehensive plan.

(2) Recommend state and local legislation for the development of marinas along the corridor.

(3) Coordinate the implementation of the plan and legislation.

(b) The commission may make grants of money to units of local government for the construction or improvement of a marina in the

corridor if the grants are consistent with the plans, standards, and criteria established by the commission.

*As added by P.L.1-1995, SEC.6.*

#### **IC 14-13-3-11**

##### **General powers**

Sec. 11. (a) When necessary to accomplish the purposes of the commission, the commission may do the following:

(1) Conduct studies necessary for the performance of the commission's duties.

(2) Publicize, advertise, and distribute reports on the commission's purposes, objectives, and findings.

(3) Provide recommendations in matters related to the commission's functions and objectives to the following:

(A) Political subdivisions in and adjacent to the corridor.

(B) Other public and private agencies.

(4) When requested, act as a coordinating agency for programs and activities of other public and private agencies that are related to the commission's objectives.

(5) Acquire and dispose of real or personal property by grant, gift, purchase, lease, devise, or otherwise.

(6) Hold, use, improve, maintain, operate, own, manage, or lease as lessor or lessee:

(A) real or personal property; or

(B) any interest in real or personal property.

(7) Employ an executive director and other individuals that are necessary to carry out the commission's duties.

(b) The commission may contract for staff services with:

(1) qualified agencies or individuals; or

(2) a planning commission established under IC 36-7-7;

unless the commission employs the commission's own staff.

(c) It is the goal of marina projects under this chapter to create employment in the private sector.

*As added by P.L.1-1995, SEC.6.*

#### **IC 14-13-3-12**

##### **Grants and appropriations; advisory committees**

Sec. 12. (a) The commission may receive grants and appropriations from the following:

(1) Federal, state, and local governments.

(2) Individuals.

(3) Foundations.

(4) Other organizations.

(b) The commission may enter into agreements or contracts regarding the acceptance or use of these grants and appropriations for the purpose of carrying out the commission's activities under this chapter.

(c) The commission may appoint advisory committees, which may include representatives of the following:

(1) Municipal parks.

- (2) County parks.
- (3) National parks.
- (4) Port authorities.

*As added by P.L.1-1995, SEC.6.*

### **IC 14-13-3-13**

#### **Annual reports**

Sec. 13. Before November 1 of each year, the commission shall make a report of the commission's activities to each municipality that appointed a commission member. The commission shall also make an annual report to the following:

- (1) The governor, upon request of the governor.
- (2) The legislative council, upon request of the legislative council. The report must be in an electronic format under IC 5-14-6.

*As added by P.L.1-1995, SEC.6. Amended by P.L.28-2004, SEC.127.*

### **IC 14-13-3-14**

#### **Budgets**

Sec. 14. (a) The commission shall prepare and adopt by majority vote an annual budget that shall be submitted to each county, municipality, or agency appropriating money for the use of the commission. After approval of the budget by the commission, money may be expended only as budgeted, unless a majority vote of the commission authorizes other expenditures. If money is appropriated by the commission for the use of a county, a municipality, or an agency, the money may not later be diverted from the county, municipality, or agency without the consent of the county, municipality, or agency.

(b) Appropriated money remaining unexpended or unencumbered at the end of the year becomes part of a nonreverting cumulative fund to be held in the name of the commission. The commission may authorize unbudgeted expenditures from this fund by a majority vote of the commission.

(c) The commission is responsible for the safekeeping and deposit of money the commission receives under this chapter. The state board of accounts shall:

- (1) prescribe the methods and forms for keeping; and
- (2) periodically audit;

the accounts, records, and books of the commission.

(d) The treasurer of the commission may receive, disburse, and handle money belonging to the commission, subject to the following:

- (1) Applicable statutes.
- (2) Procedures established by the commission.

*As added by P.L.1-1995, SEC.6.*

### **IC 14-13-3-15**

#### **Powers of political subdivisions not limited**

Sec. 15. This chapter does not limit the power of a participating county, township, port authority, or municipal corporation to develop

or improve a port, terminal, or lakefront facility.  
*As added by P.L.1-1995, SEC.6.*